

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AL-HARETH AL-BUSTANI,

CASE NO. C22-5238JLR

Plaintiff,

ORDER

V.

SEAN B. ALGER, et al.,

Defendants.

Before the court is Plaintiff Al-Hareth Al-Bustani's motion for reasonable
fees and costs. (Mot. (Dkt. # 161).) No party has filed papers opposing the
motion. (*See generally* Dkt.) Having carefully reviewed Mr. Al-Bustani's motion and
the supporting materials, the relevant portions of the record, and the governing law, the court
GRANTS the motion.

This court previously granted in part and denied in part Mr. Al-Bustani's motion for default judgment. (7/1/24 Order (Dkt. # 156); *see also* 7/8/24 Order (Dkt. # 158).) Specifically, the court: (1) granted default judgment in Mr. Al-Bustani's favor on his

1 direct copyright infringement claims against Defendants Sean B. Alger, Louis Clyde
2 Holder, and James Maiden; (2) granted default judgment in Mr. Al-Bustani’s favor on his
3 vicarious copyright infringement claim against Defendant S.B. Alger Studio Productions
4 (together with Mr. Alger, the “Alger Defendants”); (3) granted Mr. Al-Bustani’s request
5 to dismiss with prejudice his claims for invasion of privacy (false light) and violations of
6 Washington’s Personality Rights Act; (4) denied Mr. Al-Bustani’s request for default
7 judgment on his intentional and negligent infliction of emotional distress claims, and
8 dismissed those claims with prejudice; (5) preliminarily determined that Mr. Al-Bustani
9 is entitled to an award of attorney’s fees and costs; and (6) directed Mr. Al-Bustani to file
10 a motion for attorney’s fees and costs. (*Id.* at 7-15, 25; 7/8/24 Order at 1-3.) The court
11 directed Mr. Al-Bustani to ensure that his request “does not reflect an impermissible
12 double recovery” given that he has already been awarded “certain attorney’s fees and
13 costs as a sanction for the Alger Defendants’ violations of the court’s discovery orders.”
14 (*7/8/24 Order at 2.*) The court also advised Mr. Al-Bustani that his request should “fairly
15 reflect[] the amount of time attributable to his claims against Mr. Maiden, Mr. Holder,
16 and the Alger Defendants.” (*Id.* at 2-3.)

17 Mr. Al-Bustani seeks to recover \$90,638 in attorney’s fees, less the \$2,246.00
18 sanction already paid by the Alger Defendants. (Mot. at 5.) He requests apportionment
19 such that Mr. Maiden is individually and severally liable for 5%, Mr. Holder is
20 individually and severally liable for 35%, and the Alger Defendants are jointly and
21 severally liable for 60% of the total fee award. (*Id.* at 5-6; *see also* Ford Decl. (Dkt.
22 # 162) ¶ 5, Ex. 1 (Dkt. # 161-1).) In addition, Mr. Al-Bustani seeks \$402 in costs

1 pursuant to 28 U.S.C. § 1920, consisting of the case filing fee. (Mot. at 6; *see also* Ford
2 Decl. ¶ 10; Praecipe (Dkt. # 163) (bill of costs).) The court is persuaded that Mr.
3 Al-Bustani's fee request is reasonable and that the fees are fairly apportioned among the
4 Defendants. The court therefore ORDERS as follows:

5 1. Mr. Al-Bustani's motion for attorney's fees and costs is GRANTED for the
6 reasons set forth in his briefing (*see generally* Mot.); and

7 2. Mr. Al-Bustani is AWARDED the total sum of **\$88,392** in attorney's fees
8 and **\$402** in costs, of which:

9 a. The Alger Defendants shall be jointly and severally liable for
10 \$52,136.80 and \$241.20 in costs;
11 b. Mr. Holder shall be individually and severally liable for \$31,723.30
12 in attorney's fees and \$140.70 in costs; and
13 c. Mr. Maiden shall be individually and severally liable for \$4,531.90
14 in attorney's fees and \$20.10 in costs.

15 Dated this 15th day of August, 2024.



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17 JAMES L. ROBART
18 United States District Judge
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